

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PURE POWER BOOT CAMP, INC.; PURE
POWER BOOT-CAMP FRANCHISING
CORPORATION; and PURE POWER BOOT
CAMP JERICHO INC.,

Plaintiffs,

- against -

WARRIOR FITNESS BOOT CAMP, LLC;
ALEXANDER KENNETH FELL a/k/a ALEX FELL,
Individually; RUBEN DARIO BELLIARD
a/k/a RUBEN BELLIARD, Individually;
JENNIFER J. LEE, Individually;
and NANCY BAYNARD, Individually,

Defendants.

ECF Case
Case No. 08-cv-4810 (JGK) (THK)

AFFIDAVIT OF ELIZABETH FRIESELL

STATE OF NEW YORK)
 ss:
COUNTY OF NEW YORK)

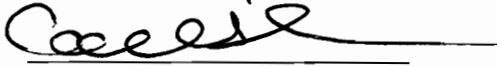
ELIZABETH FRIESELL, being duly sworn, deposes and says:

1. I was a member of Pure Power Boot Camp ("Pure Power") and recently joined Warrior Fitness Boot Camp ("Warrior").
2. I joined Warrior when I learned that Alex Fell ("Fell") and Ruben Belliard ("Belliard"), my instructors at Pure Power, had left Pure Power. When I inquired and found out that they had started the Warrior gym, I decided to join Warrior.
3. *No one solicited me to join Warrior*; in fact, I emailed and actually solicited them, since they are such great instructors and were the main reason I stayed at Pure Power.
4. After I joined Warrior, Pure Power's principal, Lauren Brenner, telephoned me and stated that she "knew that you had signed up with the guys," and proceeded to "bad mouth" Fell and Belliard.

5. In the same telephone conversation, Brenner told me that she had emails between myself and Fell and defendant Jennifer Lee. I was shocked when she referenced these private emails which were from my private account to a private Warrior account.


ELIZABETH FRIESELL

Sworn to before me this
1 day of July, 2008


Notary Public

CATHERINE A. SHANNON
Notary Public, State of New York
No. 4971874
Qualified in New York County
Commission Expires September 10, 2010